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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
EUGENE DIVISION

NAVIGATORS INSURANCE COMPANY,  
a New York corporation;

Plaintiff,

vs.

MITCHELL CONSTRUCTION SERVICES  
LLC., an Oregon limited liability company;  
and WESTTOWN ON 8TH LLC, an Oregon  
limited liability company; and PREFERRED  
CONTRACTORS INSURANCE  
COMPANY, RRG;

Defendants.

No. 6:19-cv-00528-MC

**STIPULATION AND [PROPOSED]  
ORDER OF DISMISSAL**

**I. STIPULATION**

Plaintiff Navigators Insurance Company and Defendants WestTown (individually and as assignee of Mitchell) and Preferred Contractors Insurance Company (hereinafter “PCIC”) by and through their attorneys of record, hereby agree and stipulate that all remaining claims in the current action should be dismissed with prejudice and without fees or costs to any party. Defendant Mitchell Construction Services LLC has not appeared in this matter.

DATED this 23rd day of January, 2020.

LEATHERLAW GROUP

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*Attorney for Preferred Contractors*

## **II. ORDER OF DISMISSAL**

Based on the foregoing Stipulation, it is hereby ORDERED:

1. That this action is hereby dismissed with prejudice;
2. This dismissal is effectuated without an award of fees or costs to any party.

DONE IN OPEN COURT this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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The Honorable Michael McShane  
United States District Court Judge

## CERTIFICATE OF SERVICE

The undersigned hereby certifies under the penalty of perjury under the laws of the United States of America that on this date I caused to be served in the manner noted below a true and correct copy of the foregoing on the parties mentioned below as indicated:

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**By:** ☒ ECF ☐ E-mail ☐ Legal Messenger

DATED this 23rd day of January, 2020 at Seattle, Washington.

/s/ Lina Wiese  
Lina Wiese | Paralegal